

SLIDE TRAPS BOYS IN CAVE; 1 KILLED

Robin Hood, Jr., Is Victim,
but His Merry Men
Are Saved

A bold little band of juvenile adventurers, led by a four-year-old Robin Hood with a plume in his hat, sallied forth yesterday afternoon from Jamaica Avenue and Thirteenth Street, Astoria, and set to work to dig themselves a cave in a vacant lot.

There's nothing like a really first class cave as a lair for a band of merry men. Robin Hood, Jr., knew that very well—for he had heard about caves and robber bands in the stories his mother told at home—where he was into Alfred Seidel. So, knowing well the value of caves, Robin urged his followers to variant labors.

The cave was all but finished and Robin Hood has entered to inspect it with three of his young retainers, when something went wrong. Sand began to slide about them, and in a moment the four merry men had been buried beneath a mass of earth and sand. The rest of the little band fled. Their eyes brought half a dozen frantic mothers, who scratched impatiently

at the pile of moist, soft earth. Then some one turned in a fire alarm. The firemen began to dig. And one by one there came forth from the pile of earth three chattering, coughing little members of the band of merry men. Robin Hood, Jr., came last. But he was very still. His dashing feather hung crushed, bedraggled, its gaudy red stained by yellow clay. Like his feather, Robin Hood, too, hung limply and his face was white. Then came an ambulance from St. John's Hospital and Robin Hood, Jr., was rushed away. Last night a little group stood sadly about the door of 261 Twelfth Avenue, Robin Hood, Jr.'s home. Gone was their bravado and their eyes were wet with tears. They had learned that Robin Hood, Jr., was dead. In the hand of one was clasped a bit of bedraggled red feather—a last memento of the leader they had lost.

HIS OBJECTIONS JAIL HIM

"As a Lawyer" Prisoner Exhausts Court's Clemency

The objections made by Arthur Cole "as a lawyer" last night in the night court brought him three months in the workhouse. Magistrate Groehl, before whom he was arraigned on complaint of Mrs. Agnes Cole, the prisoner's sister-in-law, that he had tried to force an entrance to her home, at 3143 Broadway, was at first inclined to heed the plea of Frank Cole, a brother of the prisoner, and send him to a sanatorium.

While the probation officer was telling what he had learned about the prisoner, however, Cole continually interrupted with his objections, and succeeded in changing the magistrate's intention. He lives at the Columbia Hotel, at Morningside Avenue and 116th Street.

URGES FEDERAL R. R. CONTROL

Alfred P. Thom Declares
It Necessary for Na-
tional Defence

SINGLE AUTHORITY
BEST, OLNEY SAYS

Present System of Regula-
tion Called Archaic and
Wasteful

[From The Tribune Bureau]

Washington, Nov. 25.—The necessity of having properly developed railroads as a matter of preparedness for national defence was emphasized to-day by Alfred P. Thom, counsel for the Railway Executives' Advisory Committee, before the Newlands joint commission on railroad regulation in a plea for exclusive Federal control as against the present dual system of Federal and state control.

Replying to the defenders of the old states' rights argument in favor of control of the roads by state commissions, Mr. Thom retorted that Federal control was essential to guard each state against having its railroad service impaired or prevented from properly expanding by the unjust regulation of neighboring states through which the same railroad lines passed. Richard Olney, Secretary of State under President Cleveland, heartily favored Federal control of the railroads as an alternative to the political dangers of government ownership, in a memorandum read to the committee by Mr. Thom. Some of the striking statements of this memorandum were:

"It cannot be doubted that a railroad corporation created by a national charter is an apt instrument for the carrying on of national transportation, and that the organization of such corporation with all appropriate powers and duties is a fit subject for treatment under the commerce power. Nor is it to be doubted—because ample experience has shown—that in this matter of national transportation by railroads public policy and the public welfare are at one with the law of the country. They imperatively require that the subject should be dealt with in all its phases by a single authority, which can be no other than the nation itself.

Mixed Jurisdiction Archaic
"The mixed jurisdiction over the subject now prevailing—the states exercising apart from the Federal government, and the United States apart from the states—through the commerce power—is thoroughly archaic, originating before the true scope of the commerce power was generally understood, and inefficient in railroad operation which is at once a matter of public necessity and public scandal."

Admitting the thoroughly unsatisfactory condition that now obtains in transportation, Mr. Olney wrote: "It may be claimed that government ownership of all national railroads is the only true and adequate solution, a claim which time and sufficient experiment may show to be well founded. Yet government ownership would have political bearings of such pith and moment as ought to prevent its consideration until, and unless, it is established that there is no other way out. It is best to assume that, in the first instance, therefore, there is some other way out; that the question is essentially administrative rather than political; that it concerns our national housekeeping rather than the structure and stability of the house itself."

Respecting suggested legal difficulties which stand in the way of the national government incorporating, railroads now holding state charters, Mr. Olney said: "On the legal grounds already developed, a state grant to a state corporation of the franchise to operate a national railroad must be regarded either as void ab initio or as provisional merely and as becoming void whenever the national government acts upon the subject. Consequently, neither that state nor the state corporation would be legally aggrieved if a grant to a state corporation of the franchise to operate a national railroad were annulled by a grant to the national government of an identical franchise to a national corporation."

Railroads Part of Defence
In his address to the committee Mr. Thom dealt with railroads as part of a system of national defence. "The day of the small and defenceless state has passed," he said. "This is the day of great nations, with all their resources available and organized, a necessity of modern civilization. Can you organize the American nation except on a basis of transportation? The fundamental thing in national preparedness is adequate transportation. The government is charged with the duty of national defence. There must be a standard of facilities in time of peace to bear a proper proportion to needs in time of war. The same agency charged with the national defence is the only one to have charge of the elements of preparation."

Federal incorporation must be compulsory, said Mr. Thom, who declared that it would be unfair to give railroads which had favorable state charters the right to retain them and make Federal incorporation a refuge for railroads less favorably situated. Federal incorporation, he suggested, would be upheld by the courts as an exercise of the right to "regulate" interstate commerce. If railroads were left a choice in the matter of incorporation there would be no "regulation."

Makes no Labor Suggestion
"I have not said anything about the labor situation," said Mr. Thom, in cordially his remarks. "We had agreed on these things before the labor situation became a menace to the country. When we prepared for the hearings we did not expect to bring that subject here because of the intense controversy. I shall make no suggestion at present."

Mr. Thom said that the railroad attitude toward prospective legislation might change, although he did not anticipate change, and that the railroads during the hearings would be open to suggestions.

The Newlands committee held a short executive session, in which members were informed that W. J. Bryan has asked an opportunity to address the committee.

TWO FINED IN AUTO ROW

Father and Son Pummelled Him, Motor Car Driver Asserts

Frederick Zuerker and his son, Frederick, Jr., of 212 East Fifth Street, were fined \$1 each in night court last night on complaint of John Lasser, of 861 Beck Street, The Bronx. He said they jumped on the running board of his automobile at Seventy-second Street and Fifth Avenue and pummelled him.

The Zuerkers asserted that Lasser had run into them, and that they were simply seeking to learn the number of his car. Lasser explained that he might have run close to them, but that he didn't hit them.

LEO ORNSTEIN RAISES TEMPEST, BUT IN TEAPOT

Clever Pianist Displays Talent,
Youth and Enthusiasm
in Recital

Young Mr. Leo Ornstein is prodigiously clever. He has the faculty of making people talk about him, even of making people take him seriously. In musical receptions the mention of his name causes a thrill of interest; people take sides for him or against. Teapot tempests are beloved of the dilettante; a real tempest would send them scurrying to cover. And the conviction grows that the tempest brewed by Mr. Ornstein is strictly within a teapot.

Mr. Ornstein gave a recital yesterday afternoon in Aeolian Hall. It was a recital well attended, better attended than many a one given by an able artist. This does not mean that Mr. Ornstein is any ordinary pianist; he is not. When he gets over blowing teapot tempests, he may learn to ride on the whirlwind. He has talent and youth and enthusiasm. In time he may

learn to "speak for himself. At present he shouts in a language learned from Schoenberg and Stravinsky. He played yesterday only two of his own numbers, with another for an encore, and in all the Stravinsky note was overwhelming. To be just to Mr. Ornstein, he played them exceedingly well, with a good sense of rhythm and an almost orchestral sweep.

CARNEGIE, 81, SEEKS QUIET
"Laird of Skibo" Abandons Usual Celebration and Sees Few Callers

Andrew Carnegie yesterday spent his eighty-first birthday quietly in his home, at 2 East Ninety-first Street. Contrary to his annual custom, there was no celebration of any kind. Even Mr. Carnegie's custom of meeting the newspaper men and shaking hands with them was abandoned owing to his feeble health.

Although it was said at the Carnegie home that he was in excellent spirits and stronger than for some time, it has been known that Mr. Carnegie's illness of last summer left him in such a weakened condition that absolute quiet has been ordered by his physicians.

Many messages of congratulation were received at the residence and a few persons called, but only those most intimately acquainted with the "Laird of Skibo" were permitted to see him.

WIFE'S FLANNEL BANK A FAILURE

Savings Hidden in Hus-
band's Winter Under-
clothing Disappear

Mrs. Ecker Goldstein, a prudent housewife of 147 Jefferson Street, Passaic, N. J., deposited three \$50 bills and three \$1 bills in her husband's winter flannels several weeks ago. Goldstein donned the garments a few days ago. His uneasy demeanor at the breakfast table gave the highball to a train of thought in the mind of his wife.

"What did you do with the money?" she gasped.

Goldstein paused in his contortions. "You've put on your winter flannels, haven't you?" he demanded. Mrs. Goldstein, who regarded his question as an obstruction on the track, Goldstein admitted it, and for the first time heard of the seasonal safe deposit vault.

"Something did drop out," he recol-

lected; "a piece of paper or something. I threw it out of the window."

Bacon and eggs were left to cool and a search was instituted at once. Mrs. Barbara Fisher, a neighbor, helped. It was without result.

Soon afterward Mrs. Fisher was arrested, and a \$50 bill which was found in her purse was applied to the care of her child, who was in an institution. The Goldsteins heard of it and Mrs. Goldstein's train of thought went racking along on schedule time. It stopped with a bang at the police station, and Mrs. Fisher was arrested again, this time on a larceny charge.

Another \$50 bill was found in her home, and yesterday Mrs. Fisher, despite her protests that she had earned the money, was held for the grand jury.

FOUR FLY TO FOOTBALL GAME

Lieutenant Thaw in One Plane That

Set Out from Hempstead Field

In a cold wind, blowing forty miles an hour, Lieutenant Alexander B. Thaw, of the 1st Signal Corps, N. G. N. Y., accompanied by his brother William, who recently returned from scout duty for the French army, flew from the Hempstead Plains aviation field yesterday morning in an aeroplane, and C. H. Reynolds, an officer of the 1st Signal Corps, with a mechanic, in another, to New Haven for the Yale-Harvard football game. The aviators went up to a height of about 3,000 feet before starting in a

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On Public Exhibition from Monday, December 4th, to the unrestricted Public Sale in five evening sessions beginning December 11th. Special exhibitions on Friday and Saturday evenings, December 8th and 9th, from 8 to 10 o'clock, and on Sunday, December 10th, from 9 to 5 o'clock. A beautifully illustrated Catalogue of 155 pages will be sent to any address for \$1.00.

This is the third Sale from Mr. Halsey's great Collection of 10,000 choice Prints. The English Stipples will be sold in five sessions beginning January 8th, and three other very important sales will follow.

The Joseph F. Daly Library

The large and fine library collected during more than fifty years by the late Judge Joseph F. Daly, the eminent New York jurist, is now on Exhibition and will be sold on the Afternoons and Evenings of Tuesday and Wednesday, December 5th and 6th. Many extra-illustrated books, hundreds of scarce engravings, and many rare works on literature, history and the stage.

Other Announcements will follow immediately

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Trimmed Hudson Seal and Caracul Coats

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